

## 2011 DRAFTING REQUEST

### Assembly Joint Resolution

Received: 11/15/2010

Received By: **smiller**

Wanted: **As time permits**

Companion to LRB:

For: **Gary Tauchen (608) 266-3097**

By/Representing: **craig arrowood**

May Contact:

Drafter: **smiller**

Subject: **Constitutional Amendments**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Tauchen@legis.wisconsin.gov**

Carbon copy (CC:) to:

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#### Pre Topic:

No specific pre topic given

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#### Topic:

Dissolution of state funds and certain accounts

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#### Instructions:

09 AJR 16

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#### Drafting History:

| <u>Vers.</u> | <u>Drafted</u>        | <u>Reviewed</u>        | <u>Typed</u>          | <u>Proofed</u>          | <u>Submitted</u>                                | <u>Jacketed</u>       | <u>Required</u> |
|--------------|-----------------------|------------------------|-----------------------|-------------------------|---|-----------------------|-----------------|
| /?           | smiller<br>11/16/2010 | csicilia<br>11/18/2010 |                       | _____<br>_____          |   |                       |                 |
| /1           |                       |                        | mduchek<br>11/19/2010 | _____<br>_____<br>_____ | mbarman<br>11/19/2010<br>sbasford<br>01/03/2011 | lparisi<br>02/04/2011 |                 |

FE Sent For: **NONE**

<END>

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| /1           |                       |                        | mduchek<br>11/19/2010 | _____          | mbarman<br>11/19/2010                                      |                 |                 |
|              |                       |                        |                       | _____          | sbasford - re-submitted per SRM - office<br>lost? original |                 |                 |
|              |                       |                        |                       | _____          | 01/03/2011   |                 |                 |

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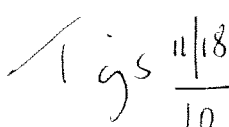

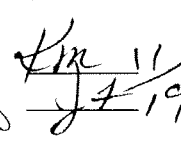
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|--------------|----------------|---|---|---|------------------|-----------------|-----------------|
| 1?           | smiller        |  |  |  |                  |                 |                 |

FE Sent For:

<END>



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-04677

SRM:/:...

ys

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION  
2011 ASSEMBLY JOINT RESOLUTION

in Nov. 16

Gen Cat

- 1 ~~Relating to:~~ the dissolution of state funds and accounts and prohibiting the state  
2 from changing the purpose of any state fund or program revenue appropriation  
3 account (first consideration).

*Analysis by the Legislative Reference Bureau*

This proposed constitutional amendment, proposed to the 2011 legislature on first consideration, provides that the legislature may abolish by law a state fund, or program revenue appropriation account thereof, other than a fund or account related solely to the issuance or payment of public debt or other obligation, only if two-thirds of all the members elected to each house concur therein. <sup>not</sup>

Any state fund, or program revenue appropriation account thereof, created by law before, on, or after the date of ratification of this amendment remains in effect until abolished by law, and the purpose of the fund or account may not be changed by law. <sup>unless</sup>

The proposal also provides that a state fund, or program revenue appropriation account thereof, created before, on, or after the date of ratification of this amendment may not be lapsed, transferred, or expended in any manner that would conflict with the purpose of the fund or account. If a state fund, or program revenue appropriation account thereof, is abolished, all unencumbered moneys in the fund or account as of the date the fund or account is abolished are transferred to the general fund of the state. <sup>that is</sup>

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective. ✓

***Resolved by the assembly, the senate concurring, That:***

**SECTION 1.** Section 11 of article VIII of the constitution is created to read:

[Article VIII] Section 11 (1) Beginning on the date of ratification of this subsection, the legislature may <sup>not</sup> abolish by law a state fund, or program revenue appropriation account thereof, other than a fund or account related solely to the issuance or payment of public debt or other obligation, <sup>unless</sup> ~~only~~ two-thirds of all the members elected to each house concur therein.

(2) Any state fund, or program revenue appropriation account thereof, created by law before, on, or after the date of ratification of this subsection remains in effect until abolished by law, and the purpose of the fund or account may not be changed by law after the date of ratification of this section.

<sup>that is</sup> (3) Moneys in <sup>by law</sup> any state fund, or program revenue appropriation account thereof, <sup>is</sup> created before, on, or after the date of ratification of this subsection may not be lapsed, transferred, or expended in any manner that would conflict with the purpose of the fund or account. If a state fund, or program revenue appropriation account thereof, is abolished, all unencumbered moneys in the fund or account as of the date the fund or account is abolished are transferred to the general fund of the state.

**SECTION 2. Numbering of new provision.** <sup>S</sup> Numbering of new provisions. If another constitutional amendment ratified by the people creates the number of any provision created in this joint resolution, the chief of the legislative reference bureau shall determine the sequencing and the numbering of the provisions whose numbers conflict. ✓

1           ***Be it further resolved, That*** this proposed amendment be referred to the  
2       legislature to be chosen at the next general election and that it be published for 3  
3       months previous to the time of holding such election. ✓

4                               **(END)**

**Parisi, Lori**

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**From:** Arrowood, Craig  
**Sent:** Friday, February 04, 2011 10:54 AM  
**To:** LRB.Legal  
**Subject:** Rep Tauchen needs LRB-0467/1 Jacketed.

*Craig Arrowood, Jr.*

Office of Representative Gary Tauchen  
Committee Clerk for Elections and Campaign Reform  
Phone: (608) 266-3098  
Toll-free: (888) 529-0006

♦♣♥♠